

## **RESPONSE TO OFFICE ACTION**

Dear Examiner,

Regarding the above application 10/043,071 I, Mark Nowotarski, Reg. No. 47,828, am now the sole agent of record. A signed copies of the Power of Attorney (PTO/SB/81) is attached. All communication should be directed to the address above. All fees, including late fees, regarding this application should be charged to my deposit account # 502,083. The new docket number for the case is MG022704USNP.

Responsive to the Office Action mailed January 5, 2004, please replace the drawings with the enclosed clean copy.

An amended copy of the claims to be examined has also been submitted. Claims 1-5 and 20 – 32 have been cancelled without prejudice. New claims 33 to 41 have been added.

### **REMARKS**

The Office Action mailed January 5, 2004 has been carefully considered. The Applicant has amended the application to be fully responsive to the Examiner's objections and rejections.

#### ***Election/ Restrictions***

The Examiner has required the Applicant to elect a single disclosed species for prosecution. Applicant elects the species "return enhancement module". Claims 6 to 19 and new claims 33 to 41 read on said species.

#### ***New Claims***

New claims 33 to 39 depend upon original claim 6. New claim 40 is independent. New claim 41 depends upon new claim 40.

Support for new claim 33 can be found in paragraphs 33 to 40 (p. 7-8) and paragraph 48 (p. 9) of the instant application.

Support for new claim 34 can be found in paragraphs 47 to 48 (p. 9) of the instant application.

Support for new claim 35 can be found in paragraph 43 (p. 8) of the instant application.

Support for new claim 36 can be found in paragraph 44 (p. 8) of the instant application.

Support for new claim 37 can be found in paragraphs 29 (p. 5) and 33 to 40 (p. 7-8) of the instant application.

Support for new claim 38 can be found in paragraph 30 (p. 6) of the instant application.

Support for new claim 39 can be found in paragraph 40 (p. 8) of the instant application.

Support for new claim 40 can be found in paragraphs 33 to 58 (p. 7 – 11) of the instant application.

Support for new claim 41 can be found in paragraph 48 (p. 9) of the instant application.

No new matter has been added.

#### ***Claim Rejections – 35 USC 101***

Claims 1 – 5 and 20 – 32 stand rejected under 35 USC 101. The Applicant has cancelled said claims without prejudice.

#### ***Drawings***

The Examiner has required that new corrected drawings with clean lines and characters be submitted. Applicant has submitted replacement drawings with clean lines and characters.

No new matter has been added.

### ***Specification***

The Examiner has required clarification of the matters related to the terminology of the specification or correlation with art-accepted terminology so that a proper comparison of the claims under examination with the prior art can be made.

The Applicant has elected original claims 6 to 19 and new claims 33 to 39 for examination. New claims 33 to 39 depend upon original claim 6. New claims 40 and 41 read on the same elected species as original claim 6.

The Examiner has indicated he is of the skilled opinion that that which is present in the instant application which qualifies as statutory subject matter and has utility under the requirements of 35 USC 101 is either anticipated or obvious in view of the prior art available to one skilled in the art. The Examiner has also stated that the subject matter of original claim 6 and claim 6's associated dependent claims is both statutory and meets the requirements of 35 USC 101. Said claims, therefore, meet the Examiner's requirements of using art-accepted terminology to the extent that the examiner can assert a skilled opinion that said claims are either anticipated or obvious in view of the prior art. Hence a proper comparison of said claims with the prior art can be made.

New claims 33 to 39 depend upon claim 6 and hence a proper comparison of said claims with the prior art can be made as well. New claims 40 and 41 read on the same species as original claim 6 and hence a proper comparison of said claims with the prior art can be made as well.

### ***Information Disclosure Statement***

The Applicant has submitted prior art that is material to the patentability of the elected and new claims in an information disclosure statement filed with this response.

The Agent respectfully requests that the fees under 37 CFR 1.17(p) be charged to the Agent's deposit account 502083.

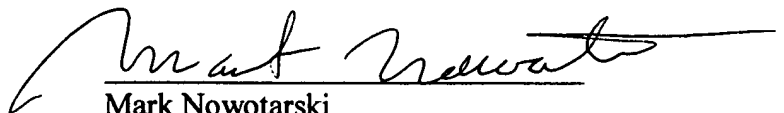
***Conclusion***

The Examiner has informed the Applicant that he will use art-recognized terminology when corresponding with the Applicant regarding the patentability of claims under examination. The Examiner has advised the Applicant to become versed in said terminology. The Applicant thanks the Examiner for his guidance and will endeavor to become so versed.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 502083 and please credit any excess fees to such deposit account.

In light of the amendments and remarks, Applicant respectfully submits that this application is now in condition for allowance, and an early Notice of Allowance is hereby requested. However, should there remain unresolved issues that require adverse action, it is requested that the Examiner telephone Mark Nowotarski, Applicant's Agent, at 203 975 7678 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark Nowotarski', with a long horizontal flourish extending to the right.

Mark Nowotarski  
Reg. No. 47,828  
Agent for the Applicant